

REMARKS

Claims 1, 2, 6, 7, 11, 12, 16, 17 and 21-30 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103 AND ALLOWABLE SUBJECT MATTER

Claims 1, 2, 4, 6, 7, 9, 11, 12, 14, 16, 17, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sargent (U.S. Pat. No. 535,999) in view of either Ferreira (U.S. Pat. No. 1,821,298), Detloff et al. (U.S. Pat. No. 4,865,386), or Rogala (U.S. Pat. No. 6,155,644). This rejection is respectfully traversed.

Claims 4, 9, 14, and 19 have been cancelled without prejudice or disclaimer of the subject matter contained therein. Accordingly, Applicant respectfully notes that the rejections regarding claims 4, 9, 14, and 19 have been rendered moot.

The Examiner states that claims 5, 10, 15, and 20 would be allowable if rewritten in independent form. Accordingly, Applicant has amended claims 1, 6, 11, and 16 to include the limitations of the stated allowable claims, respectively. Therefore, claims 1, 6, 11, and 16 should now be in condition for allowance. Applicant notes that claims 2, 7, 12, and 17 depend from claims 1, 6, 11, and 16, respectively, and therefore should now also be in condition for allowance.

NEW CLAIMS

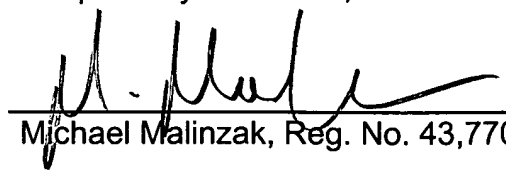
Claims 21-30 have been added and distinguish over the prior art by claiming the linear recliner assembly in the context of a seat assembly for a motor vehicle. Claims 21 and 26 claim a linear recliner assembly including a recliner rod *pivotally linked directly* to the seat back, which Sargent does not teach or suggest. More particularly, Sargent

discloses a recliner rod being pivotally linked to a footrest, which is further pivotally linked to a movable armrest, which is pivotally engaged with the seat back. During the operation of the recliner, the seat bottom and armrest all move in conjunction with the seat back. The disclosure of Sargent with respect to the interaction of the recliner rod, seat back, and seat bottom is thus more complex and less efficient to produce and assemble than the linear recliner of the present invention. Further, Sargent has no apparent utility in an automotive vehicle. Applicant therefore respectfully submits that the combination of Sargent with either Ferreira, Detloff, or Rogala does not render Applicant's invention obvious and reconsideration and withdrawal of the rejection is requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By: 
Michael Malinzak, Reg. No. 43,770

Dated: May 5, 2005

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600
MM:SDO:ca